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CLOVER NETWORK, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

DIGITAL VERIFICATION SYSTEMS, LLC

Plaintiff,

v.

CLOVER NETWORK, INC.

Defendant.

Case No. 3:17-cv-06982-JST

**DECLARATION OF JASON F. CHOY  
IN SUPPORT OF CLOVER  
NETWORK, INC.'S NOTICE OF  
SETTLEMENT AND MOTION TO  
STAY PROCEEDINGS**

Hon. Jon S. Tigar

1 I, Jason F. Choy, hereby declare:

2 1. I am an attorney with the law firm of Wilmer Cutler Pickering Hale and Dorr  
3 LLP. I am a counsel of record for Defendant Clover Network, Inc. ("Clover") in the above  
4 captioned matter. I have personal knowledge of the facts stated in this declaration, and if asked  
5 to, could and would testify competently thereto.

6 2. I make this declaration in support of Clover's Notice of Settlement and Motion to  
7 Stay Proceedings.

8 3. Defendant Clover Network, Inc. ("Clover") and Plaintiff Digital Verification  
9 Systems, LLC ("DVS") (together, the "Parties") have reached an agreement in principle to settle  
10 this case. The case was originally filed in the Eastern District of Texas on February 24, 2017.  
11 (Dkt. 1.) On November 7, 2017, the case was transferred to the Northern District of California.  
12 (Dkt. 17.) Matthew P. Harper filed the complaint on behalf of DVS in the Eastern District of  
13 Texas and negotiated settlement on behalf of DVS with counsel for Clover, but has represented  
14 that he is not admitted in the Northern District of California and that DVS has not yet retained  
15 counsel admitted in the Northern District of California.

16 4. Mr. Harper has agreed that the case should be stayed while the parties finalize  
17 their settlement agreement. However, because Mr. Harper represents that he is not admitted in  
18 the Northern District of California and further represents that DVS has not yet retained counsel  
19 admitted in this Court, the Parties are unable to file a joint stipulation pursuant to Local Rule 6-2.

20 5. In light of the Parties' agreement to settle the case, proceeding on the current  
21 schedule would cause the parties to incur unnecessary expenses.

22 6. There have been no prior time modifications in this matter.

23 7. The requested stay will extend all current deadlines by (45) days to allow the  
24 Parties to finalize their settlement.

1 Dated: February 14, 2018

Respectfully submitted,

2 /s/ Jason F. Choy

3 Jason F. Choy

4 WILMER CUTLER PICKERING

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